

existing wharf to accommodate newer, larger-class vessels, which together would allow increased ship calls and throughput. The wharf extension, new cranes, and dredging would require a permit from the Corps. The proposed project would also increase gate and on-dock rail moves. The proposed project would increase throughput from approximately 1.3 million Twenty-foot Equivalent Units (TEUs) in 2008 to approximately 3 million TEUs by 2027. By 2027, approximately 38 percent of the 3 million TEUs would travel to and from the terminal by on-dock rail, 7 percent would travel to and from the terminal via truck to near-dock rail yards, and the remaining cargo would travel by truck to the local market (*i.e.*, markets within an approximately 100-mile radius from the Port of Los Angeles).

Although dredge material is expected to be disposed of at an approved upland site, there is the potential for disposal of some dredged material at an established ocean disposal site, which would require Corps authorization under section 103 of the MPRSA. A sampling and analysis program would be implemented to approve any offshore disposal of material.

Through the EIS/EIR process, feasible environmental mitigation measures will be developed to reduce potential environmental impacts. Measures to reduce operational impacts would be implemented through lease amendments and become permit requirements. Measures to reduce construction impacts would be implemented through construction contract specifications and requirements. Air Quality measures would be consistent with or exceed the San Pedro Bays Clean Air Action Plan (CAAP) and are likely to include AMP, low sulfur fuel, Vessel Speed Reduction Program (VSRP) requirements for new vessel builds, and terminal equipment standards.

3. *Issues:* There are several potential environmental issues that will be addressed in the Draft EIS/EIR. Additional issues may be identified during the scoping process. Issues initially identified as potentially significant include:

1. Aesthetic and visual impacts from construction and operation;
2. Air quality impacts from construction and operation of an expanded container terminal, including ship and vehicle emissions, and contributions to global warming and greenhouse gases;
3. Biological impacts to marine and terrestrial wildlife;

4. Geological issues, including dredging and stabilization of fill areas in an area of known seismic activity;

5. Hazards and hazardous materials related to existing and former activities that have contaminated soil and groundwater in the Port, or pose hazardous risks related to ongoing operations, and hazards and risk of upset due to terrorism;

6. Hydrology and water quality from disturbance of sediment, operations, and runoff from development;

7. Noise from construction, existing and future operations, and increased traffic;

8. Traffic and transportation, including ground transportation; and

9. Cumulative impacts from past, present, and reasonably foreseeable future projects.

4. *Alternatives:* Several alternatives are being considered for the proposed action. The Draft EIS/EIR will include a co-equal analysis of the project alternatives considered. Alternatives being considered for the proposed project include several reduced project alternatives; the proposed project with an expanded on-dock rail yard; and a No Project/No Federal Action Alternative that would not implement any of the project elements. For this project, the No Federal Action Alternative is the same as the No Project Alternative and will therefore be referred to and analyzed as the No Project/No Federal Action Alternative. These alternatives will be further formulated and developed during the scoping process. Additional alternatives that may be developed during scoping will also be considered in the Draft EIS/EIR.

5. *Scoping Process:* The Corps and the LAHD will jointly conduct a public scoping meeting for the proposed Berths 302–306 [APL] Container Terminal Project Draft EIS/EIR to receive public comment and to assess public concerns regarding the appropriate scope and preparation of the Draft EIS/EIR. Participation in the public meeting by Federal, State, and local agencies and other interested organizations and persons is encouraged. This meeting will be conducted in both English and Spanish. Members of the public who wish to communicate and listen entirely in Spanish are encouraged to attend this meeting. The meeting will be held on August 5, 2009 at 6:00 PM (PST) at the Board Room in the Harbor Administration Building at 425 South Palos Verdes Street, San Pedro, CA 90731. Written comment letters will be accepted until August 24, 2009.

The Corps also anticipates consulting with the U.S. Fish and Wildlife Service

under the Endangered Species Act, and with the National Marine Fisheries Service under the Magnuson-Stevens Fishery Conservation and Management Act. Additionally, the EIS/EIR will assess the consistency of the proposed action with the Coastal Zone Management Act and potential water quality impacts pursuant to Section 401 of the Clean Water Act.

6. *Availability of the Draft EIS:* The Draft EIS/EIR is expected to be published and circulated in mid-2010, and a public meeting will be held after its publication.

Dated: June 30, 2009.

**David J. Castanon,**

*Chief, Regulatory Division, Corps of Engineers.*

[FR Doc. E9–16231 Filed 7–8–09; 8:45 am]

**BILLING CODE 3710-KF-P**

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## DEPARTMENT OF EDUCATION

### Notice of Proposed Information Collection Requests

**AGENCY:** Department of Education.

**ACTION:** Notice of Proposed Information Collection Requests.

**SUMMARY:** The Acting Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

**DATES:** An emergency review has been requested in accordance with the Act (44 U.S.C. Chapter 3507 (j)), since public harm is reasonably likely to result if normal clearance procedures are followed. Approval by the Office of Management and Budget (OMB) has been requested by July 13, 2009. A regular clearance process is also beginning. Interested persons are invited to submit comments on or before September 8, 2009.

**ADDRESSES:** Written comments regarding the emergency review should be addressed to the Office of Information and Regulatory Affairs, Attention: Education Desk Officer, Office of Management and Budget, 725 17th Street, NW., Room 10222, New Executive Office Building, Washington, DC 20503 or faxed to (202) 395–6974 or electronically mailed to [OIRA-Submission@omb.eop.gov](mailto:OIRA-Submission@omb.eop.gov).

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Director of OMB provide interested Federal agencies and the

public an early opportunity to comment on information collection requests. The Office of Management and Budget (OMB) may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Acting Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management, publishes this notice containing proposed information collection requests at the beginning of the Departmental review of the information collection. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or recordkeeping burden. ED invites public comment.

*The Department of Education is especially interested in public comment addressing the following issues:* (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on respondents, including through the use of information technology.

Dated: July 6, 2009.

**James Hyler,**

*Acting Director, Director, IC Clearance Official, Regulatory Information Management Services, Office of Management.*

### **Office of Elementary and Secondary Education**

*Type of Review:* New.

*Title:* Requests for Title I, part A Waivers.

*Abstract:* The U.S. Department of Education (ED) plans to issue guidance inviting requests for waivers related to the use of fiscal year (FY) 2009 Title I, part A funds available through the American Recovery and Reinvestment Act of 2009 (ARRA) and requests for waivers related to certain Title I, part A statutory and regulatory provisions. The guidance will provide information for State educational agencies (SEAs) on

how they may apply to ED for waivers and information for local educational agencies (LEAs) on how they may implement the waivers obtained by their SEA.

*Additional Information:* ED is requesting that the Office of Management and Budget (OMB) approve these information requests on an emergency basis, by July 13, 2009. Approval of these information requests will enable ED to consider requests to waive certain statutory requirements that relate to the use of Title I, part A ARRA funds. The information collections relate to the information that must be submitted to ED as part of a waiver request, as required by section 9401 of the Elementary and Secondary Education Act (ESEA).

In addition, the Secretary has reviewed the Title I, part A regulations that were issued in October 2008 (73 FR 64436 (Oct. 29, 2008)) and sent a letter to all Chief State School Officers discussing those regulations. In that letter, the Secretary indicates that he will consider requests for waivers of certain Title I, part A regulatory provisions, in accordance with his authority under section 9401 of the ESEA. First, as noted in the letter, the Secretary intends to propose for public comment in a notice of proposed rulemaking (NPRM) a repeal of the provision that prohibits a State from approving as a provider of supplemental educational services (SES) a school identified for improvement, corrective action, or restructuring or a district identified for improvement or corrective action (34 CFR 200.47(b)(1)(iv)(A), (B)). While the rulemaking process is ongoing, the Secretary will consider a request to waive this requirement for school year (SY) 2009–10. Such a waiver would allow a State to approve as an SES provider a district or school in improvement. Second, the Secretary also will consider a request for a one-year waiver of the requirement to provide notice of public school choice at least 14 days before the start of the school year if districts cannot comply with that requirement because of their State's current assessment timeline or contract with its assessment vendor. Third, although not discussed in the Secretary's letter to Chief State School Officers, the Secretary will consider requests for waivers that would allow an LEA to provide SES to eligible students attending schools in the first year of improvement and to count the funds providing SES to those students toward the LEA's obligation to spend an amount at least equal to 20 percent of its Title I, part A allocation on SES and public school choice-related

transportation (20 percent obligation). Such a waiver would waive the provisions in section 1116(b)(10) of the ESEA and 34 CFR 200.48 that limit the funds spent on SES that an LEA may count toward its 20 percent obligation to funds spent providing SES to eligible students attending schools in the second year of improvement, in corrective action, or in restructuring.

Additionally, the Secretary will also consider requests to waive the maintenance of effort (MOE) requirements in sections 1120A(a) and 9521 of the ESEA.

With respect to requests for waivers related to the Title I, part A ARRA funds, LEAs are already working with their SEAs to plan Title I, part A activities for next year. Planning for a Title I, part A program typically occurs in the spring and summer prior to the next school year. Consequently, in order to plan effectively and on schedule, SEAs and LEAs cannot wait until right before the school year starts to know how to obtain these waivers. OMB approval on an emergency basis would enable ED to provide SEAs and LEAs with timely information about waivers of certain Title I, part A requirements—information that will be necessary as SEAs and LEAs make crucial decisions about how they will most effectively use Title I, part A funds, including those available under the ARRA, during summer 2009 and in SY 2009–10. If emergency clearance is not granted, ED will not be able to provide the waiver request information to SEAs and LEAs in time for them to plan successfully. And without proper planning, Title I, part A services to academically at-risk students, including those supported by the ARRA, would suffer.

Similarly, now that States have received the Secretary's letter regarding the Title I regulations, as soon as possible they need to understand the process for how to request a waiver and what information will be required to accompany that request. The Secretary's letter indicates that ED will provide additional information about the process for submitting a waiver request and this waiver guidance keeps that commitment. The waiver process must begin at this time in order for States and LEAs to plan for their implementation of the public school choice notice requirement for SY 2009–10. In addition, if a school or LEA in improvement, corrective action, or restructuring is going to be able to be approved as an SES provider for SY 2009–10, a waiver must be granted before a State completes its process for approving SES providers, or with sufficient time for the State to reopen

that process, if it chooses to do so. Likewise, the process for requesting waivers related to the provision of SES to eligible students attending Title I schools in the first year of improvement must begin at this time in order for LEAs to have sufficient time to appropriately plan their implementation of SES. In all three cases, without emergency approval, States and LEAs will not be able to take advantage of the flexibility the Secretary is offering regarding these provisions for the upcoming school year because ED would not be able to provide information regarding how to apply for a waiver until it is too late.

Concerning MOE, in accordance with ED's MOE regulations for ESEA programs (including Title I, part A) covered by the MOE requirements, States will soon begin identifying those LEAs that failed to maintain effort in SY 2008–09. Section 9521(c) of the ESEA gives the Secretary the authority to waive the MOE requirements if an LEA experiences an exceptional or uncontrollable circumstance or experiences a precipitous decline in its financial resources. Due to the state of the economy during SY 2008–09, ED expects many more LEAs will have experienced a precipitous decline in their financial resources or an exceptional or uncontrollable circumstance than in prior years, causing them to miss maintaining effort and in turn to seek an MOE waiver from ED. Given these circumstances, the planned waiver guidance specifies the process States may use to obtain MOE waivers from ED for their LEAs. In order for this process to begin in a timely fashion, ED needs emergency approval of the information collection activities in the guidance associated with MOE waivers.

*Frequency:* One time.

*Affected Public:* State, Local, or Tribal Government.

*Reporting and Recordkeeping Hour Burden:*

Responses: 947.

Burden Hours: 29,640.

Requests for copies of the proposed information collection request may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 4002. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., LBJ, Washington, DC 20202–4537. Requests may also be electronically mailed to the Internet address

[ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or faxed to 202–401–0920. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339.

[FR Doc. E9–16298 Filed 7–8–09; 8:45 am]

BILLING CODE 4000–01–P

## DEPARTMENT OF EDUCATION

### Submission for OMB Review; Comment Request

**AGENCY:** Department of Education.

**SUMMARY:** The Acting Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before August 10, 2009.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Education Desk Officer, Office of Management and Budget, 725 17th Street, NW., Room 10222, New Executive Office Building, Washington, DC 20503, be faxed to (202) 395–5806 or send e-mail to [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov).

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Acting Director, Regulatory Information Management Services, Office of Management, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested,

e.g. new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment.

Dated: July 6, 2009.

**James Hyler,**

*Acting Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management.*

### Federal Student Aid

*Type of Review:* Revision.

*Title:* William D. Ford Federal Direct Loan Program General Forbearance Request.

*Frequency:* On Occasion.

*Affected Public:* Individuals or household.

*Reporting and Recordkeeping Hour Burden:*

Responses: 1,186,120.

Burden Hours: 237,224.

*Abstract:* Borrowers who receive loans through the William D. Ford Federal Direct Loan Program will use this form to request forbearance on their loans when they are willing but unable to make their currently scheduled monthly payments because of a temporary financial hardship.

Requests for copies of the information collection submission for OMB review may be accessed from <http://edicsweb.ed.gov>, by selecting the "Browse Pending Collections" link and by clicking on link number 4025. When you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., LBJ, Washington, DC 20202–4537. Requests may also be electronically mailed to the Internet address [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov) or faxed to 202–401–0920. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be electronically mailed to [ICDocketMgr@ed.gov](mailto:ICDocketMgr@ed.gov). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339.

[FR Doc. E9–16232 Filed 7–8–09; 8:45 am]

BILLING CODE 4000–01–P